IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.920 OF 2005

IN

FIRST APPEAL NO.414/2005

Dharma K. Katekar .... Applicant.

Vs.

State of Maharashtra .... Respdt.

Mr.Rajesh S.Datar for applicant.

Mr.A.R.Patil, AGP for the State.

CORAM: S.B.MHASE &

S.R.SATHE,JJ.

DATE : 12th July 2005.

PC:

1. Heard. By order dated 13th June 2005 applicant is allowed to withdraw the amount on furnishing security to the satisfaction of Reference Court. Learned counsel, however, pointed out that the amount of compensation has been

deposited by the State Government in the High Court and therefore, modification of direction is necessary. He submitted that therefore, it may be directed that the Registrar (Judicial) shall be satisfied about the security. In this submission of admission Shri A.R. Patil for State has no objection for modification. Therefore, we modify the order to the effect that the applicant is allowed to withdraw amount of Rs.50 lacs subject to applicant furnishing bank guarantee in relation of Rs.25 lacs and in relation to balance of Rs.25 lacs any other security to the satisfaction of the Registrar (Judicial) of the High Court. Earlier part of that order that ‘‘to the satisfaction of the Reference Court’’ is recalled and instead words **‘‘to the satisfaction of Registrar (Judicial), High Court’’**are inserted.

(S.R.SATHE) **(S.B.MHASE)**